

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO.967 OF 1998
ALONG WITH
WRIT PETITION NO.4678 OF 1999.**

A.O.No.967/1998.

The Bombay Society of the
Franciscan Sister of Mary
and Public Trust.

.... Appellant.

Versus

M/s.Choice & others.

.... Respondents.

W.P.No.4678/1999.

The Bombay Society of the
Franciscan Sister of Mary.

.... Petitioner.

Versus.

The State of Maharashtra & ors.

.... Respondents.

Shri R.V.Govilkar for the Appellant in A.O. and
Petitioner in W.P.

Shri S.B.Deshmukh i/by Shri A.V.Anturkar for Respondent
No.1 in A.O.& Respondent No.3 in W.P.

CORAM : ABHAY S.OKA, J.

DATED : 11th January 2005.

P.C.:

1. In the above Appeal from Order and the Writ
Petition, the parties have tendered consent terms. The
consent terms are signed by the Appellant and one Anjali
Atul Bhagat on behalf of Respondent No.1 firm as a
partner thereof. The consent terms are signed by the
Advocate for the Appellant and the Advocate for the
Respondent No.1. The Appellant in Appeal from Order is
the Petitioner in the Writ Petition and the Respondent

No.1 in the Appeal from Order is the Respondent No.3 in the Writ Petition. In the Writ Petition, Respondent No.1 is the State of Maharashtra and Respondent No.2 is the Joint Charity Commissioner. The said Respondents Nos.1 and 2 have not signed the consent terms. The original consent terms are taken on record in Appeal from Order No.967 of 1998 and marked "X" for identification and a signed copy of the Consent Terms is taken on record of the Writ Petition and marked as "Y" for identification. The Advocates appearing for the parties stated that a Trustee of the Appellant and a partner of Respondent No.1 Ms.Anjali Bhagat are present in Court.

2. In view of the Consent Terms and the compromise recorded therein, Shri Govilkar seeks permission to withdraw the Appeal from Order and the Writ Petition. Permission is granted and the Appeal from Order and the Writ Petition are disposed as withdrawn with no order as to costs.

Judge.